

CARE SERVICES POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 7.00 pm on 22 January 2014

Present:

Councillor Pauline Tunnicliffe (Chairman)

Councillors Reg Adams, Ruth Bennett, Roger Charsley,
Mrs Anne Manning, Catherine Rideout and
Charles Rideout

Angela Clayton-Turner, Linda Gabriel, Leslie Marks and
Lynne Powrie

Also Present:

Councillor Robert Evans and Councillor Diane Smith

142 EXEMPT MINUTES OF THE CARE SERVICES PDS COMMITTEE HELD ON 29TH OCTOBER 2013

143 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillor David Jefferys and also from Councillor John Getgood, Councillor Peter Fookes attended as his alternate. Apologies were also received from Brebner Anderson and Brian James.

144 DECLARATIONS OF INTEREST

Councillor Pauline Tunnicliffe declared that she was a foster carer for the Council.

Councillor Mrs Anne Manning declared that she was a member of the Fostering Panel.

Councillor Peter Fookes declared he was a trustee of Penge and Anerley Age Concern.

Linda Gabriel declared that she was the chair of Bromley Mind.

Leslie Marks declared that she had a son in a care home funded by the Council.

Councillor Reg Adams declared that his wife was a member of the Bromley Community Counselling Service.

145 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE PUBLIC ATTENDING THE MEETING

Three questions were received from Mrs Sue Sulis and the questions and answers are appended to these minutes.

146 QUESTIONS TO THE CARE SERVICES PORTFOLIO HOLDER FROM MEMBERS OF THE PUBLIC AND COUNCILLORS ATTENDING THE MEETING

None.

147 MINUTES OF THE MEETING OF CARE SERVICES PDS COMMITTEE MEETING HELD ON 29TH OCTOBER 2013

The minutes of the meeting held on 29th October 2013 were agreed.

RESOLVED that the minutes of the meeting held on 29th October 2013 be agreed.

148 WORK PROGRAMME AND MATTERS ARISING

The committee noted the work programme and matters arising from previous meetings.

The Chairman highlighted the forthcoming visits and encouraged Members to take part.

At the previous meeting it had been agreed that an additional meeting of the Health Scrutiny Sub Committee was needed in April.

Officers would liaise with the Chairman and Vice-Chairman to find a suitable date.

RESOLVED that the work programme and matters arising from previous meetings are noted and that officers schedule an additional meeting of the Health Scrutiny Sub Committee in April.

149 PRE-DECISION SCRUTINY OF CARE SERVICES PORTFOLIO REPORTS

A) CARE SERVICES PORTFOLIO PLAN PERFORMANCE REPORT

Members considered the most recent update on progress against the aims contained within the Care Services 2013/14 Portfolio Plan. They noted that of the 15 outcomes 14 were on target with only the

outcome related to homelessness target not being met. This was the subject of a report later on this agenda.

The Vice-Chairman Councillor Jefferys, although not present at the meeting, had passed his comments to the Chairman. He felt the provision of an additional 38 places at the Bellegrave site was a considerable achievement.

Councillor Mrs Manning praised the work of the work of the Child and Adolescent Mental Health Service (CAMHS). She was also pleased to see that Diabetes was now included in the outcome for Improving Health Outcomes for those with health needs.

RESOLVED that:

- 1. The progress made against the actions in the 2013/14 Portfolio Plan is noted;**
- 2. The Care Services Portfolio Holder is requested to agree the progress and the actions remaining for 2013/14.**

B) HOUSING SERVICES PRIORTIES (MID YEAR UPDATE)

The Committee received a summary of the key performance for the first half of 2013/14 and an update on the current housing pressures being faced regarding rising housing need, temporary accommodation use and the key actions in place for the remainder of 2013/14 aimed at directly tackling the level of homelessness and temporary accommodation use.

Officers reported that although significant work had been undertaken to progress all priority work the incidence of homelessness had risen dramatically due to the impact of the Welfare Reforms, complex economic factors and the ensuing impact on the housing markets.

The Chairman asked if the unallocated £2.4m from the Payment in Lieu Fund could be used to address the pressures. In response officers explained that the department was considering using the funding to purchase suitable properties, property development and joint venture schemes.

Members enquired about continuing the Mortgage Rescue Scheme at a local level. Officers explained that there were 22 cases that were being supported through the scheme and a local scheme could be considered.

Officers clarified that some of the increase in homelessness was due to private landlords not wanting to have welfare tenants. The department was working with the landlords and a Landlord Fair in October 2013 had been very positive.

The committee asked about working with Housing Associations to identify tenants before they got to the point of eviction. Officers explained that there was a joint protocol in place and a virtual team to manage the debt.

The Chairman thanked officers for the report and acknowledged that the department was under considerable pressure.

RESOLVED that:

1. **The performance against the key priorities in the 2013/14 Portfolio and work plans for these service areas; the priority actions as set out in paragraph 3.4 for the remainder of 2013/14 in response to the current housing pressures being experienced as detailed in the body of this report be noted.**
2. **The Care Services Portfolio Holder is requested to agree the performance against the key priorities in the 2013/14 Portfolio and work plans for these service areas and the priority actions as set out in paragraph 3.4 for the remainder of 2013/14 in response to the current housing pressures being experienced as detailed in the body of this report.**

C) PROCUREMENT STRATEGY FOR TENANCY SUPPORT SERVICES FOR HOMELESS PEOPLE

*The Chairman moved that the attached report, not included in the published agenda, be considered as a matter of urgency on the following grounds
At their meeting on 15th January 2014, the Executive requested that the Committee consider this item in advance of the Executive taking a decision on the matter*

At the Executive meeting on 15th January 2014, a gateway review on tenancy support for homeless people was considered. The Executive agreed that it would be helpful for the Care Services PDS Committee to consider the matter before a decision was taken. As such, it was agreed to include the report on this agenda.

The report informed the committee of a proposal for retendering the current support service for homeless people. During the course of the current contract, Riverside ECHG had improved on their previous performance in successfully moving on homeless people from the hostel provision. Over the first 3 years of the contract, 85% of tenants departing from the scheme moved into permanent accommodation. This performance had increased to 90% during the last year.

Riverside had also made significant improvements at the scheme by offering tenants the opportunity to undertake meaningful activity whilst resident. This can take the form of education, vocational training or volunteering. In addition all tenants were required to take part in life skills training, which included budgeting, cooking and gardening skills. Provision of this support vastly increased the chances of the users being able to sustain an independent tenancy when they moved on from the scheme.

The recipients of this service were amongst the most vulnerable adults who were placed by the Council; experiencing mental ill health or substance misuse problems in addition to their homeless status. This accommodation was selected when available in preference to bed and breakfast where there was an increased risk both to and from the tenant and to other users of the accommodation when there was no supervision or support service in place.

Although the Council currently had 100% nomination rights to the scheme if it ceased to use these the landlord would need to make up its rental income from other sources and could take nominations from other local authorities, meaning there would be a risk that Bromley would take on the liability of service users with serious on-going social and medical problems from other boroughs.

An alternative option for the Council would be to place the service users in bed and breakfast accommodation. The relative unit costs were £106 per week for this contract, as opposed to at least £186 per week for nightly paid accommodation.

Officers informed Members that without the extension it was unlikely the landlord would be willing to make the units available to Bromley. There were 49 units at Riverside and without these Bromley would have to look elsewhere for Homeless provision and possibly at a greater cost. The unit was closely monitored by a monitoring officer who worked closely with the provider as well as Housing Officers.

RESOLVED that the report is noted and the Portfolio Holder is requested to recommend the re-tendering of the current contract.

D) FRAMEWORK AGREEMENT FOR CHILDREN WITH DISABILITIES SERVICES

Bromley Council has had arrangements in place for a number of years with a limited number of agency providers who delivered short breaks and personalised care services for disabled children and young people.

Officers across 4 neighbouring boroughs, led by London Borough of Lewisham, had worked to procure a new provider framework of 22 agencies, ensuring good quality and pre contracted charging rates which would provide better value for money than the existing arrangements.

Formal agreement was now required by way of an Access Agreement with Lewisham which would enable Bromley Council to use the agencies on the framework from January 2014.

In response to a question regarding using foster carers to provide respite care officers explained that this was a more expensive option and that agency costs were lower.

RESOLVED that:

1. The report is noted;

- 2. The Portfolio Holder is requested to approve the establishment of an Access Agreement with London Borough of Lewisham which will permit Bromley Council to use agencies under the terms and conditions and rates agreed within the new Provider Framework from January 2014 to December 2016.**

E) DAY CARE OPPORTUNITIES & RESPITE FOR OLDER PEOPLE

In January 2013 the Care Services Policy Development and Scrutiny Committee were asked to comment on the proposed commissioning strategy for older peoples' day opportunity services and respite at home services in which individual choice and control was central and Personal Budgets/ Direct Payments the preferred mechanism to fund the support provided by the Council to eligible individuals. Transitional arrangements to protect existing service users were outlined and a system for new clients, in which they would receive a Personal Budget allocation instead of a direct service referral, was described. In February 2013 the Care Services Portfolio Holder recommended and the Council Executive approved the commissioning strategy.

Members asked that a report on progress of the new arrangements after the first full six months of operation be presented in January 2014.

The Care Services Portfolio Holder also recommended, and the Council Executive approved, waivers to extend the contracts for Respite at Home services for one year until March 31st 2013 in order to prioritise the complex implementation of the changes in the day opportunity services. Officers sought a further extension of those contracts to enable the respite at home services to be scoped with the delivery of all respite care, aligned with the delivery model of Personal Budgets and considered within the context of the new Care Bill.

Officers gave examples of some of the activities older people were choosing to undertake, moving away from the traditional day centre setting.

Concern was raised that day centres were working hard to expand the services to address the needs of their clients but may still not get enough clients to remain viable. The Officer explained that the day centres were adapting to meet demand and gave an example of the Alzheimer's Society Day Centre which was now open from 8am to 10pm on weekdays and offered 4 hourly sessions to provide respite.

The website "Bromley MyLife" holds information on all the activities available to older people. There were concerns that this was difficult for vulnerable people to access but the provision of "Support Planners" meant that people assessed as needing day activities would still be provided with the relevant information. Support Planners formed part of a 6 month pilot scheme; they used the "Bromley MyLife" website, but were also aware of other provision in the community and could suggest the most suitable provision to meet an individual's needs. Officers explained that the "MyLife" was constantly

monitored to establish what was available and ascertain the most popular pages/ searches.

Overall the committee welcomed the changes and recognised that day centre provision did not suit everyone. The Director explained that the access criteria for services had not changed but the new service was able to provide more choice.

RESOLVED that:

1. **The report is noted.**
2. **The Portfolio Holder is requested to approve waivers to extend the contracts for the Respite at Home services as set out in** Error! Reference source not found.**Error! Reference source not found. to** Error! Reference source not found.**Error! Reference source not found.**

150 DRAFT 2014/15 BUDGET

The Committee considered the Portfolio Holder's Draft 2014/15 Budget which incorporated future cost pressures and initial draft budget saving options which were reported to Executive on 15 January 2014. Members were requested to consider the initial draft budget savings proposed and also identify any further action that might be taken to reduce cost pressures facing the Council over the next four years.

The Executive was requesting that each PDS Committee consider the proposed initial draft budget savings and cost pressures for their Portfolio and the views of each PDS Committee be reported back to the next meeting of the Executive, prior to it making recommendations to Council on 2014/15 Council Tax levels.

There were still outstanding issues and areas of uncertainty remaining. Any further updates would be included in the 2014/15 Council Tax report to the next meeting of the Executive.

The Portfolio Holder reminded Members that officers had managed to provide a balanced budget for 2014/15 and 2015/16. However, the 2017/18 savings of £52m would be needed and work in identifying savings would be difficult.

RESOLVED that:

1. **the update on the financial forecast for 2015/16 to 2017/18 is noted;**
2. the initial draft saving options proposed by the Executive for 2014/15 is noted.
3. the initial draft 2014/15 Budget as a basis for setting the 2014/15 Budget is noted;

151 BUDGET MONITORING 2013/14

Members noted the pressures in the Portfolio were in three main areas, Adult Social Care, Operational Housing and Children's Social Care. The pressures became apparent at the end of the 2012/13 financial year but this trend continued in 2013/14 with the budget pressures increasing. Although there had been a slight reduction in overspend from the previous monitoring report the full year effect pressures continued to rise by £307k from the last report to £1,306k, mainly due to increases in domiciliary care and no recourse to public funds.

The money held across Adult Social Care (ASC) budgets the previous year, and the significant underspends in a number of areas, had given considerable flexibility for virement which would not be possible this year and therefore it was likely there would be a need to draw substantially on the winter pressures fund.

Concerns were raised that the changes in urgent care arrangements in late January could put pressures on frail carers as some elderly people were being discharged before they are ready. It was agreed that this might be an area where Healthwatch Bromley and the hospital team may be able to consider.

In relation to this the Director reported that the PRUH was under considerable pressure and that solving the issues around A&E wait times and trolley waits would not be simple and would involve working with a variety of health professionals including GPs. However, no patient should be discharged into an unsafe environment.

In cases like this the Chairman urged members to bring such issues to the attention of the Director. In addition Linda Gabriel reported that Healthwatch Bromley was working on these issues. It was noted that part of the problem was the difficulty in getting a GP appointment and therefore people were attending A&E instead.

Officers clarified the use of carry forward monies which sat outside the Care Services budget and was generally for specific items following agreement from the Policy Development and Scrutiny Committee or the Executive. In addition although the Winter Pressures monies could be used but there were conditions attached to its use.

RESOLVED that

- 1. the latest projected overspend of £969k is forecast on the controllable budget, based on information as at November 2013 be noted;**
- 2. it be noted that it is assumed that the funding of £570k of the winter pressures expenditure is a one off and will be met by use of the winter pressure carry forward and that any approval of the release of the winter pressures carry forward will be subject to a report to the PDS Committee in March;**

3. **it be noted that if this is agreed the net overspend will be £399k;**
4. **the full year effect for 2014/15 of £1.306m before the release of any contingencies which has increased from £999k previously reported be noted;**
5. **it be approved that the draw down from contingency of the Local Reform and Community Voices Grant of £64k for 2014/15 and that it be forwarded to the Executive for their approval;**
6. **the Portfolio Holder is requested to approve the above.**
7. **the comments of the Executive Director in paragraph 6 be noted.**

152 CAPITAL PROGRAMME MONITORING - 2ND QUARTER 2013/14

On 20th November 2013, the Executive received the 2nd quarterly capital monitoring report for 2013/14 and agreed a revised Capital Programme for the four year period 2013/14 to 2016/17. Members noted the changes agreed by the Executive in respect of the Capital Programme for the Care Services Portfolio.

RESOLVED that the Portfolio Holder is requested to confirm the changes agreed by the Executive in November.

153 REPORT FROM THE MOBILITY FORUM

The committee considered a report which provided a progress update on work being carried out by the Bromley Mobility Forum. The Council had funded the Mobility Forum since 2010. As a result of the recent review of partnership arrangements the Forum was designated as a “task and finish” group so were reporting on their work to date.

Leslie Marks addressed the committee. She explained that there were still areas that the Forum felt would benefit from the involvement of the Forum as a specialist access and mobility advice which supported the Council’s objective to help people become more independent. One area for consideration would be to look at how to improve access further at Bromley South Station and improve the process for Blue Badge holders in car parks.

Members agreed that Leslie Marks and her team should be congratulated on the work they had undertaken. Officers reported that there were potentially areas that would benefit from the continued involvement of the Forum.

RESOLVED that the report is noted and it is agreed that the ECHS Commissioners would discuss with the Mobility Forum and if appropriate commission the Mobility Forum to support the consultation and engagement around any future transport policy proposals.

154 LEARNING DISABILITY PROPOSED SECTION 75 AGREEMENT

Members noted the details of a proposed agreement between the Council and Oxleas NHS Foundation Trust (Oxleas) for the provision of adult learning disability assessment and care management services. Under the agreement Oxleas NHS Foundation Trust would be the lead provider for the Council's adult learning disability functions through an agreement under Section 75 of the National Health Service Act 2006. The Council and Oxleas NHS Foundation Trust would establish a pooled budget to deliver the service.

The Executive had approved the recommendations at its meeting on 15th January 2014 subject to final agreement of the terms between the Council and Oxleas.

RESOLVED that the report is noted

155 QUALITY MONITORING OF DOMICILIARY CARE, CARE HOMES AND CHILDREN'S PLACEMENTS

The Quality Monitoring of Domiciliary Care was usually included in the information briefing. However it was presented to Members as it included, for the first time, the monitoring of Children's Placements

The Chairman noted the changes in the number of complaints. Officers explained that this may simply be due to a greater awareness of the complaints procedure and monitoring trends.

Members felt it would be useful to have more detail on each of the complaints. Concerns were also raised about the numbers of complaints being made directly to providers and that these wouldn't be included in the figures. In response, the officer explained that officers monitored these as part of their visits to providers.

RESOLVED that

- 1. The report is noted**
- 2. A programme of visits to Care Homes in the Borough in 2013/14 is undertaken.**

156 UPDATE ON THE SEN PATHFINDER PROJECT AND CHILDREN AND FAMILIES BILL

Report ED14014

The Committee considered a report outlining progress being made through the Special Educational Needs and Disability (SEND) Pathfinder Programme

on testing and implementing the requirements set out in the proposed Children and Families Bill and the indicative Code of Practice, which had been released for consultation to highlight potential risks and issues presented by the changes in legislation.

The SEND Pathfinder had been developed in partnership with London Borough of Bexley to test areas within the Children and Families Bill, and would be published on 5th February 2013. It aimed to take a more holistic approach to special educational needs and disability for children and young people in England. The Bromley and Bexley Pathfinder had been asked to test the development and application of Education, Health and Care Plans (EHC) for children and young people with complex needs from birth to 25 years, as well as areas including development of personal budgets, banded funding and preparing for adulthood (transition). Work had been undertaken with parents through Pathfinder work stream activity, and a series of parent and professional workshops had been held to develop new Plan templates and processes that would support a single multi-age assessment process for children and young people as they moved from pre-school to school and then towards transition.

Officers explained that, at present, there was still a lack of clarity on how many children and young people would be eligible for an EHC plan. If the threshold was set at those pupils outside mainstream education it equated to approximately 850 children and young people. If, as the current consultation suggested that all those children and young people currently with SEND Statements were eligible then in Bromley then the figure would be approximately 1900. Given that the new EHC plan was a multi-agency assessment and planning process required to be delivered in 20 weeks the resource implications for the authority were considerable. Clarification on this issue was being sought from the Department of Education (DfE).

Members noted the number of tribunals held in 2012/13 and asked for officers, outside of the meeting, to provide the numbers of those that were upheld.

Officers would also clarify the funding available to provide the Information, Advice and Support (IAS) service required under the code of practice.

RESOLVED that the report is noted.

157 DAY NURSERY PROVISION: OPTIONS FOR FUTURE DELIVERY

The Education Policy & Development Scrutiny Committee considered a report in March 2013 (Report ED13045) in relation to nursery provision directly run by the Council, located within the Blenheim and Community Vision Children & Family Centres. The report undertook to move day nursery provision to a trading account basis and to undertake an options appraisal for the future delivery of the nurseries. The Committee

considered the outcome of the options appraisal and the further work to develop the business case for the recommended option.

Officers advised that this option was being explored as local authority nurseries were not the preferred route. With the preferred option officers would be able to monitor the service and external providers may be able to explore additional options.

As part of the market testing full consultation would take place but parents' had already received a letter outlining the proposals.

Members voted on Options 1 and 3. Four Members were in favour of option 3 and one was in favour of option 1.

RESOLVED that the report is noted

158 ANNUAL ECHS DEBTORS REPORT

The committee considered the Education, Care and Health Services (ECHS) debt. As at September 2013 the debt for the ECHS department was £7.98m compared to a figure of £6.49m in September 2012. The main area of debt related to residential and domiciliary care which represented over 82% of the debt over a year old. Another notable area where debt accumulated was Temporary accommodation.

In 2012/13 the council raised 9,411 invoices to the value of £21,620,027 on behalf of ECHS. As at 30th September 2013, £718,069 remained outstanding (3%).

During the period 1st April 2013 to 30th September 2013 the council raised 5,403 invoices to the value of £6,930,210.37 and 76% of this has been recovered with the sum of £1,671,306 (24%) remaining.

The value of invoices over one year as at 30th September 2013 was £1,491,590.

Liberata, who were responsible for debt recovery had increased their resources in response to the increase in the number of Temporary Accommodation customers and customers in receipt of non-residential care. The additional resources were targeting debts over a one year in order to increase the collection of non-in year debt.

In addition Liberata were conducting a full review of all debts outstanding and taking appropriate action.

The Chairman praised Liberata for the work they were undertaking in relation to debt recovery and was informed that any debts to be written off had to be signed off by the Head of Finance and the relevant service director.

RESOLVED that:

- 1. the report is noted**
- 2. an annual report on debt recovery would be presented to the Cares Services Policy Development and Scrutiny Committee .**

159 REQUEST FOR CARRY OVER OF FUNDING FOR PUBLIC HEALTH WEIGHT MANAGEMENT PILOT SCHEMES

Members considered a report requesting to carry over £98K of funding from the 2013-14 obesity budgets into 2014-15 to cover the costs of two weight management pilot schemes which would commence in 2014-15 and complete in late summer 2015. This £98K current underspend in the obesity budget had occurred because budget from 2012-13 (whilst Public Health was still in NHS) was used to buy vouchers in advance for the weight management service of which sufficient numbers of vouchers still remained to continue the service to the end of this financial year.

The projects comprise two pilots providing intensive lifestyle interventions (diet, physical activity and motivational support) over a period of 6 to 12 months to patients identified as either having a high risk of circulatory disease or diabetes or suffering from significant obesity.

The pilot will be evaluated to assess its effectiveness and viability to continue as a mainstream service. The evaluation will help to determine the most effective services to commission for the following year.

Patients will be identified from the NHS Health Checks Programme (approximately 800 potentially eligible) and from the work to identify patients at high risk of diabetes. Therefore chiefly patients between the ages of 40-74 will be targeted.

The funding required for each of these projects is £49,000 (£98,000 in total), which would allow for the management of 40 to 50 patients in each pilot over the 6 to 12 month period of the pilot schemes. The potential impact of the scheme was the prevention of diabetes and/or circulatory disease in 50 people per 100 treated.

Obesity is linked to a number of medical complications; and is a major risk factor for diabetes and for heart disease. Obesity and diabetes are both priorities in the Health & Wellbeing Strategy. Both of these conditions are significant risk factors for the major cause of mortality and morbidity in Bromley – circulatory disease.

The aim of the adult weight management programme is to reduce the incidence of complications from obesity i.e. diabetes, heart disease, by reducing body weight. Evidence shows that for every kilogram of weight loss,

there is a reduction in blood pressure, cholesterol and blood glucose amongst other benefits.

One of the objectives in the Health & Wellbeing Strategy is to develop and commission a service for obese patients at a higher risk of cardiovascular disease and diabetes.

Members had concerns at the amount of money being used for the project but were assured there would be stringent monitoring. At the request of members it was agreed that the outcomes of the project would be reported to the committee at 3, 6 and 12 month intervals.

RESOLVED that :

- 1. the report is noted**
- 2. That further reports, outlining the outcomes, will be presented to the Policy Development and Scrutiny Committee after 3, 6 and 12 months.**

160 QUESTIONS ON THE CARE SERVICES PDS INFORMATION BRIEFING

There were no questions on the briefing.

161 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006 AND THE FREEDOM OF INFORMATION ACT 2000

THE CHAIRMAN TO MOVE THAT THE ATTACHED REPORTS, NOT INCLUDED IN THE PUBLISHED AGENDA, BE CONSIDERED AS A MATTER OF URGENCY ON THE FOLLOWING GROUNDS:

162 EXEMPT MINUTES OF THE MEETING HELD ON 29TH OCTOBER 2014

The exempt minutes of the meeting held on 29th October 2013 were approved.

The Meeting ended at 9.00 pm

Chairman